

REMARKS

Favorable reconsideration of this application is respectfully requested.

Claims 1-22 are pending in this application. The Supplemental Declaration filed on May 20, 2003, was noted as defective. The Office Action also indicated that the applicant must clarify whether he is intending to "broaden the claims". The specification was also objected to for an error at column 1, line 32.

Addressing first the objection to the Supplemental Declaration filed on May 20, 2002, a new Supplemental Declaration is submitted herewith indicating that all amendments made, including the currently submitted amendment to the specification, arose without any deceptive intent on the part of the applicant.

Applicants also note that the claim amendments recite that the CVD nitride film does not extend "beyond an upper portion of said first gate", whereas those claims previously recited that the CVD nitride layer did not extend "to an upper portion of said first gate" (emphasis added).

Applicants note that the above-noted amendment is made to overcome an inadequacy in an English expression and Applicants do not believe that the amendments broaden the scope of the claims in view of the limitation that the nitride film extends beyond the edge of the first gate, but does not extend above the upper portion of the first gate, which is the structure shown for example in Figure 2. The previous amendments were made to clarify that the nitride film extends to the edge of the first gate, but does not extend above the upper portion of the first gate, as shown by reference numeral 30 in Figure 2, and therefore the amendments were not explicitly intended to broaden the scope of the claims.

The present amendment also amends the specification as suggested in paragraph 2 of the Office Action at column 1, line 32.

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Reply to Office Action dated June 4, 2003

The present amendment is believed to address all issues in the outstanding Office  
Action, and thereby the present application is believed to be in condition for allowance.

Respectfully submitted,

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